

500.

An Act

ENROLLED SENATE BILL NO. 139

BY: GRANTHAM, BELVIN, HARRIS,
and RITZHAUPT of the SENATE
and
BURGER, DAVIS, THORNHILL,
and CONAGHAN of the HOUSE

AN ACT RELATING TO COUNTY OFFICERS, INCLUDING COUNTY JUDGES AND MEMBERS OF THE STATE LEGISLATURE; PROVIDING FOUR YEAR TERMS FOR CERTAIN COUNTY OFFICERS, ALL MEMBERS OF THE HOUSE OF REPRESENTATIVES, AND CERTAIN MEMBERS OF THE SENATE; PROVIDING FOR SIX YEAR TERMS THEREAFTER FOR ALL MEMBERS OF THE SENATE; FIXING THE DATES AND MANNER OF ELECTION; ENUMERATING THE COUNTY OFFICERS WHO SHALL BE ELECTED AT THE BIENNIAL ELECTIONS FOR FOUR YEAR TERMS; AMENDING THE CONSTITUTION OF THE STATE OF OKLAHOMA AND REPEALING 19 O. S. 1961, §131; AMENDING SECTION 11, ARTICLE VII OF THE OKLAHOMA CONSTITUTION TO PROVIDE FOUR YEAR TERMS FOR COUNTY JUDGES; AMENDING SECTION 10, ARTICLE V OF THE OKLAHOMA CONSTITUTION TO PROVIDE FOUR YEAR TERMS FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES; AMENDING SECTION 9, ARTICLE V OF THE OKLAHOMA CONSTITUTION TO PROVIDE SIX YEAR TERMS FOR ALL MEMBERS OF THE SENATE; PROVIDING FOR REFERRAL OF THE SAID ACT TO A VOTE OF THE PEOPLE FOR APPROVAL; AND PROVIDING FOR A BALLOT TITLE.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. (A) At the general election to be held in November, 1964, and each four years thereafter, there shall be elected in each county of the State of Oklahoma, in those counties having such offices, a county clerk, a court clerk, a county surveyor, and two county commissioners, one each to be elected for county commissioners' districts number two and three of each county, who shall hold office for a term of four years, beginning on the first Monday in January following their election, and until their successors are elected and qualified; and a county superintendent of schools who shall hold office for a term of four years, beginning on the first Monday in July following his or her election, and until a successor is elected and qualified.

(B) At the general election to be held in November, 1964, there shall be elected in each county of the State of Oklahoma, in those counties having such offices, a county attorney, a county sheriff, a county assessor, a county weigher, and a county commissioner for county commissioner's district number one of each county, who shall

Correctly Enrolled: Ray Smith, Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

hold office for a term of two years, beginning on the first Monday in January following their election, and until their successors are elected and qualified; and a county treasurer, who shall hold office for a term of two years, beginning on the first Monday in July following his or her election, and until a successor is elected and qualified. At the general election to be held in November, 1966, and each four years thereafter, a county attorney, a county sheriff, a county assessor, a county weigher, and a county commissioner for county commissioner's district number one shall be elected for a term of four years, beginning on the first Monday in January following their election and until their successors are elected and qualified; and a county treasurer shall be elected for a term of four years, beginning on the first Monday in July following his or her election, and until a successor is elected and qualified.

(C) At the general election to be held in November, 1964, there shall be elected in each county of the State of Oklahoma a county judge. In each county having a population in excess of three hundred fifty thousand (350,000), as shown by the last preceding regular Federal Decennial Census, there shall be elected an additional county judge who shall receive the same salary to be paid in the same manner as is now provided by law for the county judge of said county. Said judge or judges shall hold office for the term provided by the Constitution of the State of Oklahoma, beginning on the second Monday in January following election, and until a successor is elected and qualified. Provided, that in all counties having two county judges, as provided by this act, the judge having the longer tenure as county judge shall be designated as presiding judge and shall act as the assignment judge of the county court, and shall assign all cases and duties to be performed as prescribed by law for the county court, and the judges thereof.

(D) It shall be unlawful for any county officer enumerated herein to be a candidate for any office, except the one to which he-

Correctly Enrolled: Ray E. Smith, Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

or she was elected or appointed, during his or her term of office, unless such officer resign from his or her office before filing for another.

SECTION 2. 19 O. S. 1961, §131, is hereby repealed.

SECTION 3. Section 1 of this act shall be inserted in the Oklahoma Statutes as §131.1 of Title 19.

SECTION 4. The Secretary of State is hereby directed to refer to the people for their approval or rejection, in the manner provided by law, the proposed amendments to the Constitution of the State of Oklahoma, as provided in Sections 5, 6, and 7 of this act.

SECTION 5. Section 11, Article VII, of the Oklahoma Constitution, be amended to read as follows:

§11. There is hereby established in each county in this state a county court, which shall be a court of record; and, at the election to ratify this Constitution, there shall be elected in each county a county judge, who shall hold his office until the close of the day next preceding the second Monday in January, Nineteen Hundred and Eleven; and thereafter the term of office of the county judge shall be four years, and he shall be elected every four years thereafter. The county judge shall be a qualified voter and a resident of the county at the time of his election, and a lawyer licensed to practice in any court of record of the state. The county judge shall be judge of the county court.

SECTION 6. Section 10, Article V, first paragraph, of the Oklahoma Constitution be amended to read as follows:

The House of Representatives shall consist of the number of members provided by law who shall hold office for four years. Beginning with the general election to be held in November, 1964, members of the House of Representatives shall be elected for a term of four years and until their successors have been elected and qualified. That the representatives elected at the November, 1964, general election shall hold office until the 15th day succeeding the day of the regular state

Correctly Enrolled: Roy Z... ✓ Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

election in 1968; and provided, that the day on which state elections shall be held shall be fixed by the State Legislature.

SECTION 7. Article V of the Constitution of Oklahoma is hereby amended to read as follows, by adding a new section:

§9A1. The Senate shall consist of forty-four members whose term of office shall be six years; provided, however, the Senators presently serving shall be allowed to complete their term of office, and Senators elected in the general election to be held in 1964 and representing Senatorial Districts 2, 4, 6, 8, 10, 12, 13, 14, 15, 16, and 17, shall hold office until 1968, and thereafter, Senators representing such districts shall be elected for a term of six years, and all other Senators elected in such year and Senators at all succeeding elections shall be elected for a term of six years.

SECTION 8. Section 9, Article V, of the Constitution of Oklahoma is hereby repealed.

SECTION 9. The ballot title for said referred measure shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall Senate Bill No. 139 of the Twenty-ninth Legislature of Oklahoma providing for four year terms for certain county officers, county judges, all members of the House of Representatives, certain members of the Senate; providing for six year terms thereafter for all members of the Senate; fixing dates and manner of election; enumerating the county officers who shall be elected at the biennial elections for four years; amending the Constitution of the State of Oklahoma and repealing 19 O. S. 1961, §131; amending Section 11, Article 7 of the Oklahoma Constitution to provide four year terms for county judges; amending Section 10, Article V of the Oklahoma Constitution to provide four year terms for members of the House of Representatives; and amending Section 9, Article V of the Oklahoma Constitution

Correctly Enrolled: *Roy Z. [Signature]*, Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

to provide six year terms for all members of the Senate,
be approved by the people?

YES

SHALL THE ACT BE ADOPTED?

NO

SECTION 10. A special election is hereby ordered to be held throughout the state on the first Tuesday in December, 1963, or on the date of the next ensuing special election held throughout this state, or on the date of the next ensuing statewide primary election, whichever is the earlier, for the express purpose of referring this bill to a vote of the people of the State of Oklahoma as provided in Sections 2 and 3 of Article V of the Constitution of the State of Oklahoma, and such referred measure shall not take effect and shall not be in force unless it is approved by a majority of the votes cast thereon at said special election. Provided, that in the event that at said special election there is more than one issue submitted then and in that event this measure shall be printed upon a blue colored ballot.

SECTION 11. The President of the Senate shall, immediately after the effective date of this resolution, prepare and file one copy thereof, including the ballot title, with the Secretary of State and one copy with the Attorney General.

Correctly Enrolled: Ray S. [Signature], ✓ Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

Correctly Enrolled: Ray S. [unclear] ✓ Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

Passed the Senate the 14th day of June, 1963.

Acting Arthur McComas
President of the Senate

Passed the House of Representatives the 14th day of June, 1963.

Acting William H. French
Speaker of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Governor this 14
day of June, 1963,
at 2:59 o'clock P M.

By: Marian Cox

Approved by the Governor of the State of Oklahoma the 25
day of June, 1963. @ 4:30 PM

Henry Beeman
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this
26 day of June, 1963,
at 9:30 o'clock A M.

James M. Bullard
By: A. Jones
ea



STATE OF OKLAHOMA
OFFICE OF THE ATTORNEY GENERAL
OKLAHOMA CITY

CHARLES NESBITT
ATTORNEY GENERAL

OK

June 28, 1963

Honorable James M. Bullard
Secretary of State
B U I L D I N G

Dear Mr. Bullard:

You are hereby notified that pursuant to the discretion and duty lodged in and imposed upon the Attorney General by 34 O.S. 1961, § 9, he has examined the proposed ballot title to Enrolled Senate Bill No. 139 of the Regular Session of the Twenty-ninth Legislature of the State of Oklahoma, which, together with a copy of said bill, was filed in this office on June 27, 1963, and from said examination finds that said ballot title is not in legal form nor in harmony with the law in that it contains more than one hundred words, and it contains three separate and distinct propositions--one for the approval or rejection of an act, and two for the amendment of separate Articles of the Constitution.

Therefore, pursuant to said 39 O.S. 1961, § 9, and pursuant to the expressed intention of the Legislature to submit said propositions to a vote of the people for their approval or disapproval, the Attorney General has prepared, and files herewith, three separate ballot titles which do conform with the law. Said Ballot Titles are as follows:

BALLOT TITLE

State Question No. 417 Legislative Referendum No. 143

Submitted by Senate Bill No. 139, page 696, Session Laws, 1963.

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Honorable James M. Bullard - (2)
June 28, 1963

Shall an act repealing Section 131 and enacting Section 131.1, Title 19, Oklahoma Statutes, increasing terms of office of county officers from two to four years for terms beginning on the first Mondays of the following months:

January, 1965, County and Court Clerks,
Surveyor, and Commissioners of Districts
Two and Three;

\$4.08

July, 1965, Superintendent of Schools;

January, 1967, County Attorney, Sheriff,
Assessor, Weigher, and Commissioner of
District One;

July, 1967, County Treasurer,

and prohibiting said officers, and county judges,
from being candidates for any other office while
serving their terms of office, be approved by the
people?

SHALL THE PROPOSED ACT BE APPROVED?

YES

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NO

BALLOT TITLE

State Question No. 418 Legislative Referendum No. 144

Submitted by Senate Bill No. 139, page 696, Session Laws, 1963.

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a constitutional amendment amending
Section 11, Article VII, Oklahoma Constitution,
so as to increase the term of office of County
Judges of this State from two years to four years,
be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?

Honorable James M. Bullard - (3)
June 28, 1963

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YES

NO

OK

BALLOT TITLE

State Question No. 419 Legislative Referendum No. 145

Submitted by Senate Bill No. 139, page 696, Session Laws, 1963.

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall constitutional amendments amending Section 10, repealing Section 9, and adopting Section 9A1, all in Article V, Oklahoma Constitution, increasing terms of office of members of State House of Representatives to four years, such terms to commence after the November, 1964, general election; increasing the terms of office of State Senators to six years; providing that Senators now serving shall complete their terms; that Senators elected in 1964 from Districts Two, Four, Six, Eight, Ten, Twelve, Thirteen, Fourteen, Fifteen, Sixteen and Seventeen, shall serve to 1968, thereafter, all Senators shall serve six-year terms, be approved by the people?

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SHALL THE PROPOSED AMENDMENTS BE APPROVED?

YES

NO

Inasmuch as 34 O.S. 1961, § 9, supra, expressly provides that

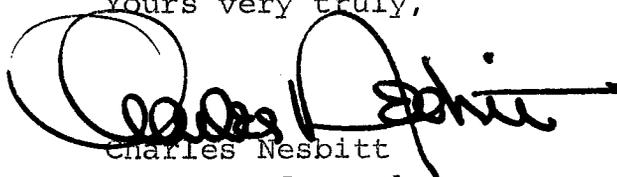
"no appeal shall be allowed as to ballot titles of constitutional or legislative enactments proposed by the Legislature which ballot titles have been approved or revised by the Attorney General."

Honorable James M. Bullard - (4)
June 28, 1963

it is your duty, under the provisions of said section, to immediately

"transmit to the Secretary of the State Election Board an attested copy of the pending proposition, including such approved title."

Yours very truly,

A handwritten signature in black ink, appearing to read "Charles Nesbitt", written over the typed name.

Charles Nesbitt
Attorney General

HHC:gld